

BOROUGH OF AKRON COUNCIL MEETING – September 27, 2021

Council Members present – Nathan Imhoff, President; Justin Gehman, Vice-President; Thomas J. Murray, Sr.; Kleon Zimmerman; Paul Swangren, Jr. and Michael Morris (Randall Justice not present).

Others present – Mayor John McBeth; Susan Davidson, Borough Manager; Sean Molchany, Assistant Borough Manager; West Earl Police Officer Justin Cruce on behalf of Chief Eric Higgins, and Larry Alexander, Ephrata Review.

Visitors – Denise Auker, Akron Borough Comprehensive Implementation Committee; Ezra Rothman, Director, Strategic Initiative and Partnership at Economic Development Company of Lancaster County; John Williamson, John Taylor, Dennis and Carol Mellinger.

Meeting opened at 6:30 p.m. with the Pledge of Allegiance.

Council Members/Mayor Roll Call:

Thomas J. Murray, Sr. – Present
Kleon Zimmerman – Present
Michael Morris – Present
Paul Swangren, Jr. – Present
Randall Justice – Not present
Justin Gehman, Vice-President – Present
Nathan Imhoff, President – Present
Mayor John McBeth – Present

Approval of Minutes

Michael Morris made a motion to approve the September 13, 2021 Borough of Akron Council Meeting minutes. Paul Swangren, Jr. seconded the motion.
Motion carried.

John Taylor expressed concerns about the American Rescue Plan funds for infrastructure, and asked whether it is true that those infrastructure funds have strings attached to it.

Paul Swangren, Jr. stated it is vague in some aspects, but it does say that it can be used for wastewater infrastructure, and that it has to be approved by the Council.

Sean Molchany said the funds will be put in a separate account.

Dennis and Carol Mellinger, 813 New Street in Akron, were present to ask for an update on the process of fixing Playground Alley.

Sean Molchany stated Martin Paving provided the Council with a proposal to address that issue. The Council signed the proposal and is now waiting to put it on the schedule to move forward. Martin Paving is planning to increase the size of the berm and relocate it to push the water towards the center of the alley.

Akron Town Center Project Conceptual Design Proposal

Denise Auker stated part of the Akron Comprehensive Plan is that they want to support small businesses, but they would like a place of daily activity. After talking to a few people, Ten Thousand Villages expressed interest in using part of their property for that.

John Williamson made a reference that there are two different visions for the Economic Development in the Comprehensive Plan: one vision is that Akron Borough is a community that supports small businesses and entrepreneurship. The residents have a variety of resources at their disposal to help them start and further their businesses in the Borough, both within their homes, as permitted by the Zoning Ordinance, and in designated commercial spaces. Akron also effectively coordinates with local and regional Economic Development Organizations to attract businesses to the community.

They also have a vision for parks. Akron's parks will continue to be places of community events, exercise, nature, recreation, and leisure for residents.

Mr. Rothman stated they have a Task Force that has been meeting monthly to go through the Comprehensive Plan. Denise Auker is the chairperson.

At one of their meetings in the spring, they invited business leaders, and one of the attendees was Tim Weiser. Tim Weiser has a vision for small businesses and housing in Akron. In talking with Ten Thousand Villages, they have three quarters of unused building space, and they are open to work with the Borough to use that unused space for some things like shops, or housing, or restaurants, a coffee shop, etc., and complement it with Broad Street Park, which is next door. There are many different possibilities and lots of opportunities.

Ten Thousand Villages is willing to pay \$4,000 for the conceptual design plan, and they are asking the Borough to pay \$12,000.

Ezra Rothman gave a background about his organization stating that the Economic Development Company of Lancaster County is a private nonprofit agency across the county. Five years, or so, they established the Boroughs Collaborative. The idea was to bring the Borough leaders together and bring some private sector attention to Boroughs to deal with the challenges.

Mr. Rothman stated they are looking to bring together the community and the neighbors so they can understand what people want in that space, both in the building and in the park. At the same time working with an architect, a landscape architect and a construction firm to figure out what is the cost of implementing some of these ideas and what they might actually get done. The team can also consist of folks from outside the Borough to bring in some outside perspective.

The final deliverables will be a limited narrative report that will be discussed, along with the conceptual design plans for both the park and the building, and the policy recommendations. The Comprehensive Plan Group will be the main point of contact.

Mr. Williamson and Mr. Rothman addressed various questions raised by Council regarding the Conceptual Design Proposal.

Nathan Imhoff suggested they ask for a commitment in writing from Ten Thousand Villages stating they are willing to put \$4,000 down and are willing to give up a certain amount of space of the building, so that the Council can have an actual agreement in writing, before they move forward and use taxpayers' money to consider funding this project.

Sean Molchany stated Council should consider putting this in the capital budget for consideration.

The Council appreciated the presentation.

Bills

Thomas J. Murray, Sr. made a motion to approve the payment to West Earl Township for Police Services in the amount of \$58,728.63. Kleon Zimmerman seconded the motion. Motion carried.

Reports

Police Report

Officer Justin Cruce was present on behalf of Chief Eric Higgins. The Council thanked officer Cruce for his service and asked about his background. Officer Cruce stated he originally started out in policing in 2018 at Millersville University Police. He was there for roughly 1,5 years before applying for West Earl Police. He is originally from Lebanon County, and when the position opened up at Millersville, he and his wife came down to Lancaster County and decided to put down roots here.

Mayor Report

Nothing to report.

Borough Manager Report

Susan Davidson reported that she has an audit from Auditor General's office for Liquid Fuels for 2019-2020. She also reported that herself and Sean Molchany have been working on the budget.

Assistant Borough Manager/Zoning Officer Report

Nothing to report.

Finance Report

Thomas J. Murray, Sr. will discuss budget under Old Business.

Community Relations Report

Michael Morris will discuss the Borough Webpage update under Old Business.

Personnel Report

Paul Swangren, Jr. reported that they had a Personnel Committee meeting this evening at 6:00 p.m. They talked about budget, and there are some proposals in the budget that are being handed out in line with the Succession Planning.

Paul Swangren, Jr. excluded Thomas J. Murray, Sr. from the discussion and stated that the Non-Uniform Handbook draft was sent to all Councilmen except Thomas J. Murray, Sr. About a month ago it was reviewed by the Borough Solicitor, and there were some changes

made to coincide with the Collective Bargaining Agreement with IBEW. There were no changes made to the draft that was sent out.

Michael Morris made a motion to adopt the amendment to the Akron Borough Non-Uniform Handbook. Justin Gehman seconded the motion.
Motion carried.

Thomas J. Murray, Sr. did not participate in the discussion and in the voting.

Streets Report

Nothing to report.

Public Utilities Report

Kleon Zimmerman reported that the Borough workers pulled manholes on Thursday. Mr. Zimmerman did not hear a report on that but he would like to set up a meeting this week to go over that.

Sean Molchany stated there are some things that cautioned them on certain locations. They have signed some agreements for televising laterals.

Old Business

Uniform Pension Liability

Susan Davidson presented information on the Uniform Pension Liability. Originally, the liability was \$387,939 when the contract was signed last year. The liability dropped to \$257,841 when another actuarial was done. The Council has five years to pay this amount.

Thomas J. Murray, Sr. recommended they pay this amount now even if they have to get a loan.

Thomas J. Murray, Sr. made a motion to instruct the staff to prepare alternatives for payment of the Police Pension Liability of \$257,842. Paul Swangren, Jr. seconded the motion.

Motion carried.

2022 Budget Process

Susan Davidson handed out a budget draft for Council's review and stated that she would like to schedule a budget meeting.

The General, Water, Sewer and Liquid Fuels budgets are in the draft, as well as the Proposed Budget and a Capital budget. Sue Davidson would like to see what they want to pull out of the Capital budget and put into the budget for different projects. She did not change any rates, tax millage, or water and sewer. The only thing she put in the budget was a full-time employee for admin and for public works. Sean Molchany added that there are some contracted services that currently are not in the budget.

Thomas J. Murray, Sr. made a motion to hold a special budget meeting on Monday, October 18, 2021 at 6:30 p.m. at the Akron Municipal building. Kleon Zimmerman seconded the motion.

Motion carried.

Paul Swangren, Jr. distributed copies of the 2021 American Rescue Act Economic Adjustment Assistance. He said there are opportunities to have construction activities such as water and sewer system improvements. The expected cost is from \$500,000 to \$5 million, 80% federal with 20% match. Mr. Swangren brought this up because it will be in the 2022 budget for capital projects and infrastructure that will need to be done.

Mr. Swangren reached out to the specialist on this to ask if Akron Borough would be eligible for some more projects. The specialist stated that any project that leads to Economic Development and Job Creation is eligible. Mr. Swangren would like to take advantage of these opportunities to get funding for the projects and needs in the Borough.

Borough Webpage update

Michael Morris reported he received the first draft of the webpage. WebTek followed the Council's layout recommendations. The webpage is now more user friendly paying bills, viewing meeting minutes, etc.

The Council gave feedback on some things that need to be improved.

The webpage will be up and running once it is approved by Council.

Mr. Morris will give a presentation at the next Council meeting, and he would like to give any feedback to WebTek within a couple days after the next meeting, so they can work on it.

Justin Gehman asked if it would be beneficial to have a representative from WebTek to present the first draft. Mr. Morris is willing to ask them to present the first draft.

New Business

Facility Use Agreement

Susan Davidson presented the Facility Use Agreement stating that the Borough Solicitor is very much in favor of this agreement. The Council is in favor of the agreement also.

Sean Molchany said that Randall Justice brought up the liability insurance in paragraph 9 and was going to get back with some new language. Mr. Molchany will then discuss this paragraph with the Solicitor, and then will have it on the next meeting agenda for Council's consideration.

Warwick to Ephrata Rail Trail Committee Appointment – Letter from John Taylor

Nathan Imhoff stated that John Taylor would like to be appointed to the Warwick to Ephrata Rail Trail Committee.

Justin Gehman made a motion to appoint John Taylor as the Akron Borough representative for the Warwick to Ephrata Rail Trail Committee. Michael Morris seconded the motion.

Motion carried.

Resolutions

Ephrata National Bank Resolution #02338

Nathan Imhoff excused himself and handed the meeting over to Justin Gehman for the first resolution.

Susan Davidson stated right now the Borough's depository is Fulton Bank. Because Fulton Bank is moving to a new location which will make it very inconvenient to deal with them.

Sue Davidson met with Ephrata National Bank a couple months ago and she thinks it will be very easy to work with them because they are down the street and they are very similar to what the Borough is doing now. There are going to be three different accounts: General account, Tax Collector account and Pension account.

Thomas J. Murray, Sr. made a motion to adopt Resolution #02338 providing for the transfer of the Borough's Three Checking Accounts from Fulton Bank to Ephrata National Bank. Michael Morris seconded the motion.
Motion carried.

Nathan Imhoff did not participate in the discussion and in the voting.

1360 Diamond Road Sewer Hookup Resolution #02339

Thomas J. Murray, Sr. made a motion to adopt Resolution #02339 approving the Sewer Connection of 1360 Diamond Station Road, Ephrata to the Akron Borough Sewer System. Paul Swangren, Jr. seconded the motion.
Motion carried.

Motions and Decisions

Motion to advertise the Noise Ordinance

Thomas J. Murray, Sr. made a motion to authorize staff to coordinate with the Borough Solicitor to Advertise Disorderly Conduct Ordinance. Kleon Zimmerman seconded the motion.
Motion carried.

Paul Swangren, Jr. made a motion to adjourn the meeting. Justin Gehman seconded the motion.
Motion carried.

Meeting adjourned at 8:03 p.m.

Respectfully submitted,

Lydia Kovalchuk
Minute Taker